



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : David J. Luneau et al.                      Art Unit : 2614  
Serial No. : 10/038,866                                      Examiner : Gerald Gauthier  
Filed : January 4, 2002  
Title : TELEPHONE NETWORK MESSAGING

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

REPLY TO ACTION DATED 26 APRIL 2006

Claims 1-19 stand rejected as obvious over Albal, U.S. Patent Application No. 2003/0147518 A1, in view of Patel, United States Patent No. 6,807,259. Dependent claims 20-22 stand rejected as obvious over Albal, Patel, and Tate, U.S. Patent No. 6,509,833.

The issue in the present Office action remains the same as in the previous three (June 19, 2003; December 9, 2004; and October 20, 2005): whether the prior art identified by the Examiner discloses the claim 1 feature of "setting up a non-associated telephone call."

In the third Office action and in the current Office action, the Examiner does not find this claim feature in Albal, i.e., "setting up a non-associated telephone call to the recipient telephone number from a simulated calling party having the same telephone number as the message code, such that the telephone network uses the caller-identification feature to communicate data corresponding to the message code to the recipient telephone number." The Examiner also does not find this feature in Tate.

The Examiner instead purports to find this feature at 7:2-25 of the new reference, Patel. In particular, the Examiner identifies the setup message sent to the customer equipment for an audible announcement. (Action, at 4.) Applicants respectfully disagree. As noted in the previous responses, the term "non-associated telephone call" is expressly defined at pages 3-4 of

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